

JAMES W. SHAW

14225 Prairie Flower Ct.  
Reno, NV 89511-6710  
Ph. 775 851 7429  
Ex. 775 851 3430

jshawnv@charter.net

JUDGE RIEGLE  
DATE: 1-19-07

January 7, 2007

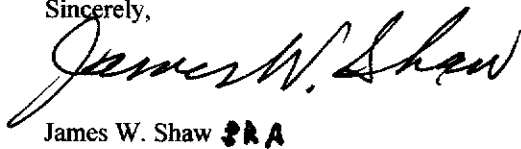
Hon. Linda B. Riegler  
Court Room 1  
Foley Federal Bldg.  
300 Las Vegas Blvd. South  
Las Vegas, NV89101

Your Honor,

I have received a document from Stutman, et al, representing the Official Committee Of Equity Security Holders Of USA Capital First Trust Deed Fund, LLC, informing me that my proof of claim for the First Trust Deed Fund should be disallowed in it's entirety due to it being a direct loan to Bethany Sunset project. I have researched my records from 2004 to present and found no record of an investment in Bethany Sunset. Additionally, I do not know how my investment was attached to Bethany Sunset. The enclosed documents from my records will show that I am an investor in the First Trust Deed Fund in the amount of \$80,000.00 and an additional \$4662.00 in unpaid interest from April, 2006 to the filing of PoC.

I will be unable to attend the hearing on this matter on Jan. 31, 2007. I trust and believe that the enclosed material will suffice to clarify my claim and resolve the issue to the satisfaction of the committee and this claimant. Furthermore, I entrust the court to consider this presentation in the hearing. Thank you for your attention in this matter.

Sincerely,



James W. Shaw JWA

Sincerely,

## **JAMES W. SHAW**

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14225 Prairie Flower Ct.  
Reno, NV 89511-6710  
Ph: 775 851 7429  
Ex: 775 851 3430  
jshawnv@sbeglobal.net

**May 3, 2006**

**USA Capital  
4484 S. Pecos Rd.  
Las Vegas, NV 89121  
attn: client services dept.**

**Services Dept.**

I have been examining, on line, the lists of claimants shown for the various funds being carried by USA Capital, and I do not find my name nor my spouse's name any where on any list. This disturbs me. I am enclosing the latest statements for the various funds in which I / we are invested. Please verify and confirm to me that our names are included among the claimants listed for the investments shown in the documents included. I request that you confirm to me in writing your confirmation.

**Sincerely,**



4484 S. Pecos Rd.  
Las Vegas NV 89121

James W. Shaw  
14225 Prairie Flower Ct  
Reno, NV 89511

### Statement Information

Page Count	1
Statement As Of	02/28/2006
Payment Method	Check (#87432)

### Payment Summary

Account: First Savings Bank Custodian For James W. Shaw IRA			
Total Investments	Total Principal	Total Interest Paid	Total Amount Paid
3	\$ 0.00	\$ 1,313.34	\$ 1,313.34

### Transaction Detail

Transaction Type	From Date	To Date	Beginning Balance	Ending Balance	Amount Paid
Investment: HFA- North Yonkers		Original Investment:	\$ 50,000.00	IR: 12.00%	YTD Interest: \$ 1,500.01
Interest Payment	02/01/2006	02/28/2006	\$ 50,000.00	\$ 50,000.00	\$ 466.67
Totals:			\$ 50,000.00	\$ 50,000.00	\$ 466.67
Investment: Margarita Annex		Original Investment:	\$ 50,000.00	IR: 12.00%	YTD Interest: \$ 1,500.01
Interest Payment	02/01/2006	02/28/2006	\$ 50,000.00	\$ 50,000.00	\$ 466.67
Totals:			\$ 50,000.00	\$ 50,000.00	\$ 466.67
Investment: Standard Property		Original Investment:	\$ 60,000.00	IR: 12.00%	YTD Interest: \$ 380.00
Interest Payment	02/10/2006	02/28/2006	\$ 60,000.00	\$ 60,000.00	\$ 380.00
Totals:			\$ 0.00	\$ 60,000.00	\$ 380.00

### Full Account Summary

Account: First Savings Bank Custodian For James W. Shaw IRA		
Total Originally Invested	Total Remaining Invested	Total YTD Interest
\$ 160,000.00	\$ 160,000.00	\$ 3,380.02

For a detailed breakdown of your statement or additional account information, please visit  
<http://www.tdinvestments.com>

USA Capital First Trust Deed Fund  
 4484 S. Pecos Road  
 Las Vegas, NV 89121

## Account Transaction Summary

James W. Shaw IRA  
 14225 Prairie Flower Ct  
 Reno, NV 89511

First Savings Bank C/F  
 James W. Shaw IRA  
 2605 E. Flamingo Road  
 Las Vegas, NV 89121  
 Account #: 6071

### Your Portfolio Summary As Of Wednesday, March 01, 2006:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Cap 1st TR Deed Fund, LLC	16.0000	5,000.0000	80,000.00	100.00%
<u>Total</u>			<u>80,000.00</u>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

### USA Cap 1st TR Deed Fund, LLC - Class B

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Feb-2006	Starting Balance				16.0000
01-Feb-2006	Daily Accrued Dividend Check	666.67	0.0000	5,000.0000	16.0000
01-Mar-2006	Daily Accrued Dividend Check	666.67	0.0000	5,000.0000	16.0000

USA Capital Realty Advisors  
 4484 South Pecos Road  
 Las Vegas, NV 89121

## Account Transaction Summary

James Shaw And Sue D. Robison-Shaw  
 14225 Prairie Fl. Court  
 Reno, NV 89511

USA Dalton Maffett  
 5488 Reno Corporate Center #100  
 Reno, NV 89511  
 Account #: 16290

### Your Portfolio Summary As Of Wednesday, March 01, 2006:

Fund	Number of Shares	Last Price (USD)	Market Value (USD)	% Port.
USA Capital Diversified Trust Deed Fund	26,834.07	1.00	26,834.07	100.00%
<b>Total</b>			<b>26,834.07</b>	

\*When applicable, the % of portfolio is calculated using the US dollar equivalent value at current exchange rates

### USA Capital Diversified Trust Deed Fund - Class N

Trade Date	Trade Type	Amount	Shares Transacted	Price/Share	Balance
01-Feb-2006	Starting Balance				27,381.31
01-Feb-2006	Redemption	-547.24	-547.24	1.00	26,834.07
01-Feb-2006	Daily Accrued Dividend ACH	207.85	0.00	1.00	26,834.07
01-Mar-2006	Daily Accrued Dividend ACH	208.43	0.00	1.00	26,834.07

This distribution does NOT include any return of capital.

This payment represents a return of cash paid interest of 9.32% per annum for the month of February, 2006.  
 The Fund also has accrued additional unpaid interest of 0.97%, which will be distributed as it is received.



## James W Shaw

**Account #: 9903123**
**Account Detail On: 07/31/2004**

	Shares	Unit Price	Cost	Market Value
<b>Cash</b>				0.00
Cash				0.00
Cash Total				
<b>Cash Equivalents</b>				
<b>Money Market-Taxable</b>				
Money Market	2,699.34	1.0000	2,699.34	2,699.34
	<u>2,699.34</u>		<u>2,699.34</u>	<u>2,699.34</u>
Money Market-Taxable Total				
	<u>2,699.34</u>		<u>2,699.34</u>	<u>2,699.34</u>
Cash Equivalents Total				
	<u>2,699.34</u>		<u>2,699.34</u>	<u>2,699.34</u>
<b>Other</b>				
<b>Real Estate</b>				
American Realty Trust, Inc - Nashville	48,785.12	1.0000	48,785.12	48,785.12
South Meadows Commercial Property, LLC/SMCP	18,092.11	1.0000	18,092.11	18,092.11
Sandhill Business Campus, LLC	3,706.35	1.0000	3,706.35	3,706.35
Wellington Development, L.C.	50,000.00	1.0000	50,000.00	50,000.00
John & Carol King	50,000.00	1.0000	50,000.00	50,000.00
	<u>170,583.58</u>		<u>170,583.58</u>	<u>170,583.58</u>
Real Estate Total				
	<u>170,583.58</u>		<u>170,583.58</u>	<u>170,583.58</u>
Other Total				
	<u>170,583.58</u>		<u>170,583.58</u>	<u>170,583.58</u>
Account Total	173,282.92		173,282.92	173,282.92

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

## PROOF OF INTEREST

Name of Debtor:  <b>USA Capital First Trust Deed Fund, LLC</b>		Case Number:  <b>06-10728-LBR</b>	
1. Name of holder of the Equity Interest (The person or entity holding an Equity Interest in the Debtor. Referred to hereinafter as the "Interestholder"):  <div style="display: flex; justify-content: space-between; align-items: center;"> <span>11321243041578</span> </div> <b>SHAW, JAMES W</b> <b>14225 PRAIRIE FLOWER CT</b> <b>RENO, NV 89511</b>		<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of interest relating to your interest. Attach copy of statement giving particulars.  <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court or BMC Group in this case.  <input type="checkbox"/> Check box if this address differs from the address on the envelope sent to you by the court.	
Telephone Number (    )		Account ID:                      6071  Class: B    Share Amt: 16.0000  Member Interest:    \$80,000.00  The amounts reflected above constitute your interest per the Debtor. If you agree with the number of shares set forth herein you do not need to file this proof of interest.  If you have already filed a proof of interest with BMC, you do not need to file again.	
<b>NOTE: This form SHOULD NOT be used to make a claim against the Debtor for money owed. A separate Proof of Claim form should be used for that purpose. This form should only be used to assert an Equity interest in the Debtor. An Equity Interest is any right arising from any capital stock and any equity security in any of the Debtor. An equity security is defined in the Bankruptcy Code as (a) a share in a corporation whether or not transferable or denominated stock or similar security, (b) interest of a limited partner in a limited partnership, or (c) warrant or right other than a right to convert, to purchase, sell, or subscribe to a share, security, or interest of a kind specified in subparagraph (a) or (b) above.</b>			
Account or other number by which Interestholder identifies Debtor:		Check here if this claim: <input type="checkbox"/> replaces a previously filed Proof of Interest dated: _____ <input type="checkbox"/> amends a previously filed Proof of Interest dated: _____	
2. Name and Address of any person or entity that is the record holder for the Equity Interest asserted in this Proof of Interest:  Telephone Number (    )		3. Date Equity Interest was acquired:	
4. Total amount of member interest:		5. Certificate number(s):	
6. Type of Equity Interest: Please indicate the type of Equity Interest you hold:  <input type="checkbox"/> Check this box if your Equity Interest is based on actual member interest held in the Debtor.  <input type="checkbox"/> Check this box if your Equity Interest is based on anything else and describe that interest:  _____			
7. SUPPORTING DOCUMENTS: <i>Attach copies of supporting documents</i> , such as stock certificates, option agreements, warrants etc. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.			
8. DATE-STAMPED COPY: To receive an acknowledgment of the filing of your proof of interest, enclose a stamped, self-addressed envelope and copy of this proof of interest.			
The original of this completed proof of interest form must be sent by mail or hand delivered (FAXES NOT ACCEPTED) so that it is <b>actually received on or before 5:00 pm, prevailing Pacific time, on November 13, 2006</b> for each person entity (including individuals, partnerships, corporations, joint ventures, trusts and governmental units).  <b>BY MAIL TO:</b> BMC Group Attn: USACM Claims Docketing Center P. O. Box 911 El Segundo, CA 90245-0911		<b>THIS SPACE FOR COURT USE ONLY</b>  <b>BY HAND OR OVERNIGHT DELIVERY TO:</b> BMC Group Attn: USACM Claims Docketing Center 1330 East Franklin Avenue El Segundo, CA 90245	
DATE	SIGN and print the name and title, if any, of the Interestholder or other person authorized to file this proof of interest (attach copy of power of attorney, if any):		

USA Securities, LLC  
4484 S. Pecos Road  
Las Vegas, NV 89121

## Account Transaction Summary

James W. Shaw IRA  
14225 Prairie Flower Ct  
Reno, NV 89511

First Savings Bank C/F  
James W. Shaw IRA  
2605 E. Flamingo Road  
Las Vegas, NV 89121  
Account #: 6071

### Your Portfolio Summary As Of Thursday, September 01, 2005:

Fund	Number of Units	Current Value
USA Cap 1st TR Deed Fund, LLC Class B	16.000	\$ 80,000.00
<b>Totals</b>		<b>\$ 80,000.00</b>

#### USA Cap 1st TR Deed Fund, LLC - Class B

Trade Date	Trade Type	Amount	Interest To Date	Anniversary Date	Share Balance
01-Aug-2005	Starting Balance				16.0000
01-Aug-2005	Distribution Paid	\$ 666.67	\$ 666.67		16.0000
01-Sep-2005	Distribution Paid	\$ 666.67	\$ 1,333.34		16.0000

### Your Maturity Date Summary As Of Thursday, September 01, 2005:

Purchase Date	Purchase Amount	Anniversary Date
15-Oct-2004	\$25,000.00	15-Oct-2006
15-Feb-2005	\$15,000.00	15-Feb-2007
15-Mar-2005	\$5,000.00	15-Mar-2007
01-Apr-2005	\$35,000.00	01-Apr-2007